

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 1

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REGIONAL ADMINISTRATOR

July 27, 2006

Dr. Rodney E. Cluck, Project Coordinator
Minerals Management Service
381 Elden Street
MS 4042
Herndon, Virginia 20164

Re: Scoping Comments for the Proposed Cape Wind Project Environmental Impact Statement

Dear Dr. Cluck:

EPA appreciates the opportunity to comment on the scope of analysis for the preparation of a Draft Environmental Impact Statement (DEIS) for the Cape Wind Associates, LLC (Cape Wind) proposal to construct a wind turbine park on Horseshoe Shoals in Nantucket Sound, Massachusetts. According to the scoping notice, the proposed wind park would consist of 130 offshore wind turbine generators that would generate a maximum of 454 megawatts of electricity. The electricity from each turbine would be transmitted to a centrally located electric service platform and would then be transmitted to the Cape Cod mainland power grid twelve miles away via two subsea 115 kilovolt transmission lines.

EPA originally offered scoping comments in April 2002 on the proposed Cape Wind project in response to a Corps of Engineers Notice of Intent. In addition, we participated as a cooperating agency during the Corps of Engineers EIS process. EPA's subsequent comments on the Corps DEIS on February 24, 2005 identified a number of deficiencies in the analysis and recommended the preparation of a supplemental EIS. Subsequently, the Energy Policy Act of 2005 established authority within the Department of Interior to manage renewable energy projects on the Outer Continental Shelf (OCS). The establishment of the Energy Policy Act gave the Minerals Management Service the lead role with respect to the analysis of the proposed project and alternatives under NEPA. EPA has participated in several meetings with the MMS since the passage of the Energy Policy Act and has agreed to participate as a cooperating agency during the development of the EIS. Our scoping comments are based on information contained in the MMS scoping notice, on the MMS website, as well as our understanding of project issues through our review of the record and past coordination with the Corps of Engineers, other federal, state, and local agencies, and the applicant.

As we indicated in our scoping comments on the Cape Wind project four years ago, EPA recognizes the environmental problems associated with the use of fossil fuel to generate electricity in New England. The region's need to invest in other cleaner sources of electricity,

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including renewables, is underscored by the renewable portfolio standards in many of the New England states. Consequently, EPA New England strongly supports an increase in the amount of electricity generated in the region from appropriately sited renewable energy projects.

EPA looks forward to coordinating with the Corps and other local, state and federal interests as the MMS works to determine the appropriate scope of analysis for the project and as specific investigations are developed to gauge the level of impact associated with each alternative under consideration. Instead of generating entirely new scoping comments in response to the recent invitation to comment, we recommend that the MMS review our April 5, 2002 scoping comment letter, May 24, 2002 comments on the Corps draft scope of work for the Cape Wind EIS, and our February 24, 2005 comments on the Corps DEIS. Those comments, taken as a whole, characterize the issues we believe should be analyzed in the EIS.

Among other things, our previous comments highlighted the importance of the purpose and need statement, the development of an adequate environmental baseline from which to measure the environmental impacts of the proposed project and alternatives, the analysis of environmental impacts, and consideration of alternatives that avoid or minimize impacts. We also noted the importance of developing an adequate mitigation and monitoring plan based on the characterization of baseline conditions and analysis of project impacts. We encourage the MMS to consider those issues as it develops the scope for the EIS.

We are also writing to respond to requests made during meetings with the MMS and in the EIS scoping notice for input regarding significant issues, the range of alternatives, and mitigation measures. In particular, we support MMS's plan to consider a range of alternatives that includes smaller scale (modified project size) alternatives, phased development proposals and a reconfigured development. The examination of smaller scale alternatives in the EIS could sharpen the presentation of the benefits and tradeoffs of the proposal. We encourage the MMS to continue to coordinate with the cooperating agency group on the purpose and need statement as the discussion of alternatives in the EIS will be framed by the statement of purpose and need. We also recommend that the EIS consider a near shore alternative in state waters, such as the recently proposed wind farm in Buzzards Bay, even though such an alternative would not require MMS licensing and would be subject to its own environmental review by the Corps of Engineers under NEPA.

Thank you for the opportunity to offer these comments as part of our ongoing participation in the scoping process for the Cape Wind EIS. We look forward to continuing to work with you as a cooperating agency as you develop the EIS. Please contact Timothy Timmermann at 617/918-1025 if you have any questions about this letter or the comment letters we reference above.

Sincerely,



Elizabeth A. Higgins
Director, Office of Environmental Review



Date: 7/27/06

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PLEASE DELIVER TO:

Dr. Rodney Cluck

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Pages to Follow:

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From: Timothy Timmermann

Comments:

Rodney

our comments as promised.

Tim